

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

FLASHPOINT TECHNOLOGY, INC.,

Plaintiff,

V.

APITEK, INC., ARGUS CAMERA CO., LLC,  
BUSHNELL INC., DXG TECHNOLOGY (U.S.A.)  
INC., DXG TECHNOLOGY CORP., GENERAL  
ELECTRIC CO., LEICA CAMERA AG, LEICA  
CAMERA INC., MINOX GMBH, MINOX USA, INC.,  
MUSTEK, INC. USA, MUSTEK, INC., OREGON  
SCIENTIFIC, INC., POLAROID CORP., RITZ  
INTERACTIVE, INC., RITZ CAMERA CENTERS,  
INC., SAKAR INTERNATIONAL, INC., D/B/A  
DIGITAL CONCEPTS, TABATA U.S.A., INC., D/B/A  
SEA & SEA, TARGET CORP., VISTAQUEST CORP.,  
VUPOINT SOLUTIONS, INC., WALGREEN CO., and  
WAL-MART STORES, INC.,

## Defendants

[illegible]

C.A. No. 08-139-GMS

## JURY TRIAL DEMANDED

## **PLAINTIFF'S REPLY TO BUSHNELL, INC.'S COUNTERCLAIMS**

Plaintiff FlashPoint Technology, Inc. (“FlashPoint”) hereby responds to each paragraph of Bushnell, Inc.’s (“Bushnell”) Counterclaims as follows:

## PARTIES

1. Upon information and belief, admitted.
2. Admitted.

## JURISDICTION AND VENUE

3. Admitted this action purports to be a Declaratory Judgment Action under 28 U.S.C. §§2201 and 2202, but otherwise denied.
4. Admitted.
5. Admitted.

**COUNT I**

6. FlashPoint incorporates the replies set forth in Paragraphs 1-5 above as if fully set forth herein.

7. Admitted.

8. Admitted that Bushnell infringes one or more claims of the patents-in-suit, but otherwise denied.

9. Admitted.

10. Denied.

11. Denied.

12. Denied.

13. Admitted that Bushnell seeks a declaration that the patents-in-suit are invalid, void, and not infringed by Bushnell, but otherwise denied.

**PRAYER FOR RELIEF**

In addition to the relief requested in Plaintiff's Original Complaint, Plaintiff respectfully requests a judgment as follows against Bushnell as follows:

A. That Bushnell takes nothing by its Counterclaims;

B. That the Court award Plaintiff costs and attorneys' fees incurred in defending against these Counterclaims; and

C. Any and all further relief for Plaintiff as the Court may deem just and proper.

**JURY DEMAND**

Plaintiff demands a trial by jury on all issues.

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Dated: May 20, 2008

/s/ Evan O. Williford

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**CERTIFICATE OF SERVICE**

I, Evan O. Williford, hereby certify that on May 20, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Plaintiff's Reply to Bushnell Inc.'s Counterclaims** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following local counsel for defendants:

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I further certify that on May 20, 2008, I caused a copy of the foregoing document to be served on the following defendants by First Class Mail:

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